

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
)	

**ORDER GRANTING THE RESCAP BORROWER CLAIMS TRUST'S OBJECTION
TO CLAIM NUMBER 4167 FILED BY GERALD GANDRUP**

Upon the objection (the “Objection”)¹ of The ResCap Borrower Claims Trust (the “Trust”), as successor to Residential Capital, LLC, and its affiliated debtors and debtors in possession (collectively, the “Debtors”) with respect to Borrower Claims, to the Gandrup Claim and request for entry of an order (the “Order”) pursuant to section 502(b) of the Bankruptcy Code, Bankruptcy Rule 3007 and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim (the “Procedures Order,” ECF Doc. # 3294), seeking to disallow and expunge the Gandrup Claim, all as more fully set forth in the Objection; and the Court having jurisdiction to consider the Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been provided, and it appearing that no other or further notice need be provided; and upon consideration of the Objection, the Declaration of Lauren Graham Delehey and the Declaration of Norman S. Rosenbaum, annexed to the Objection as Exhibits 3 & 4, respectively; and the Court having found and determined that the relief sought in the Objection is in the best interests of the Trust,

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Objection.

the Trust's beneficiaries, the Debtors, and all parties in interest and that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and the Court having determined that the Objection complies with the Borrower Claims Procedures set forth in the Procedures Order; and after due deliberation and sufficient cause appearing therefor, and for the reasons stated on the record during the hearing on the Objection held on May 15, 2014, it is ORDERED that the relief requested in the Objection is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the Gandrup Claim is disallowed and expunged in its entirety with prejudice; and it is further

ORDERED that Kurtzman Carson Consultants LLC, the Claims and Noticing Agent, is directed to disallow and expunge the Gandrup Claim so that it is no longer maintained on the Debtors' Claims Register; and it is further

ORDERED that the Trust is authorized and empowered to take all actions as may be necessary and appropriate to implement the terms of this Order; and it is further

ORDERED that notice of the Objection as provided therein shall be deemed good and sufficient notice of such objection, and the requirements of Bankruptcy Rule 3007(a), the Case Management Procedures entered on May 23, 2012 [Docket No. 141], the Procedures Order and the Local Rules of this Court are satisfied by such notice; and it is further

ORDERED that this Order shall be a final order with respect to the Gandrup Claim; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the interpretation or implementation of this Order.

IT IS SO ORDERED.

Dated: May 15, 2014
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge